

REMARKS

Claims 14-29 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is respectfully requested.

Claims 14-15, 19-21, 23, 25, 28 and 29 were rejected under 35 U.S.C. §102(e) as being anticipated by Lim (U.S. Pub. 2002/0057663).

Claims 16 and 17 were rejected under 35 U.S.C. §102(e) as being anticipated by Holden (US Patent 6,771,639). Applicant notes that claims 16 and 17 are claims depending upon claim 14, that was previously rejected under 102(e) in light of the Lim reference. Applicant presumes that the rejection to claims 16 and 17 was premised upon 35 U.S.C. §103(a). However, Applicant notes that the rejection has no specific reasoning provided that shows the reason why one having ordinary skill in the art would combine the two references.

Claim 18 was rejected under 35 U.S.C. §103(a) as being unpatentable over Lim (U.S. Pub. 2002/0057663) in view of Holden (US Patent 6,771,639). Applicant respectfully traverses these rejections.

Specifically, the prior art, alone or in combination, fails to teach or suggest the features of “announcing a form of the user data messages via planning information before transmission of the user data messages, wherein the form of the user data messages to be transmitted includes at least one of a data type and a coding of the user data messages” as recited in claim 14, and similarly recited in claims 28 and 29. For the purposes of explanation only, the claimed configuration addresses situations where the form of the transmitted data in relation to the processing of the user data messages by the subscriber devices is announced ahead of time. Accordingly, one advantage is that the subscriber devices know from the announcement of the form of the user data messages, even before the user data messages are actually transmitted or received, whether such subscriber device or devices are capable of processing the user data messages in such a way that they are useful to the user of the subscriber device (displaying a picture which is contained in the user data messages, playing an audio file, etc.). As such, on the basis of the planning information, the subscriber device or devices can decide to receive only those user data messages which they are also capable of processing, thereby making it possible to save both resources and energy on the subscriber devices.

Regarding Lim, the document addresses a system with multicast/broadcast (M/B) capabilities, where users essentially transmit messages over dedicated channels (see [005-6]).

Since such transmissions may take up significant bandwidth, Lim describes an added channel and radio protocol object on the side of a radio resource (MS-BTS) to reduce the load burden ([0017-18]). Packet data destined to multiple subscribers served by a base station controller/packet control function (BSC/PCF) are received and transmitted from the BSC/PCF to a number of base stations, which provide service to the subscribers, *using a single communication link* between the BCS/PCF and each of the number of base stations ([0020-23]). Transmissions for multiple users are multiplexed onto the single channel, where a header determines the proper users to which the data transmission will be sent (see [0021, 0039, 0054]). The header contains a multicast group identifier for this purpose ([0048. 0054]), where only the subscribers will receive the message ([0051, 0058]).

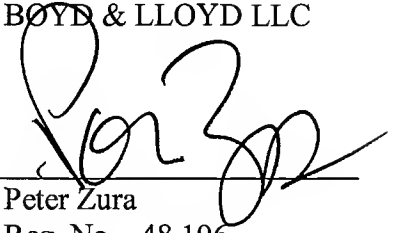
Lim, however, fails to teach or suggest the identification of a form of the user data messages via planning information before transmission of the user data messages, wherein the form of the user data messages to be transmitted includes at least one of a data type and a coding of the user data messages. Applicant cannot find any such teaching in Lim, and this is not disclosed in paragraphs [0019-22] as alleged in the Office Action. Holden fails to solve the deficiencies of Lim, described above. In fact, Holden addresses a non-analogous art dealing with fixed-line networks, where network resources and power consumption are not an issue. Additionally, Holden does not address multicasting or broadcasting at all.

For at least these reasons, Applicant respectfully submits the rejection is improper and should be withdrawn. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-1050) on the account statement.

Respectfully submitted,

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